

~~a support layer defining a plurality of second openings that partially overlap the plurality of first openings; and~~
an outsole layer defining at least one third opening extending therethrough that at least partly overlaps the plurality of second openings.

22. (Amended) An article of footwear comprising:

an upper; and

a sole, the sole comprising:

an insole layer defining a plurality of first openings, wherein a substantial portion of the plurality of first openings are interconnected;

a support layer defining a plurality of second openings that partially overlap the plurality of first openings; and

an outsole layer defining at least one third opening extending therethrough that at least partly overlaps the plurality of second openings.

REMARKS

Claims 1-12, 17-18, 20, and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Number 6,041,518 to Polycarpe (hereinafter "Polycarpe") in view of United States Patent Number 2,474,815 to Brahm (hereinafter "Brahm"); claims 13-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Polycarpe in view of Brahm and United States Patent Number 5,675,914 to Cintron (hereinafter "Cintron"); claims 15-16 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Polycarpe in view of Brahm and United States Patent Number 5,319,866 to Foley et al. (hereinafter "Foley"); claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Polycarpe in view of Brahm and United States Patent Number 5,992,052 to Moretti (hereinafter "Moretti"); and claims 23-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Polycarpe in view of Brahm and United States Patent Number 6,401,364 to Burt (hereinafter "Burt").